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Security Council Committee established pursuant to resolution 1267 (1999)

Note verbale dated 6 August 2003 from the Permanent Mission of the State of Qatar to the United Nations addressed to the Chairman of the Committee

The Permanent Mission of the State of Qatar to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1267 (1999) and has the honour to transmit on behalf of the Government of Qatar its report on counter-terrorism measures, submitted pursuant to paragraphs 6 and 12 of resolution 1455 (2003).

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Annex

Report submitted by the State of Qatar in accordance with paragraph 6 of Security Council resolution 1455 (2003)

In its resolution 1455 (2003) of 17 January 2003 the Security Council called upon all States to submit an updated report to the Committee established pursuant to resolution 1267 (1999) no later than 90 days from the adoption of the resolution.

The following report covers the measures taken by the State of Qatar in accordance with the guidance submitted by the Monitoring Group concerning the structure of reports.

I. Introduction

1. *Please provide a description of activities, if any, by Osama bin Laden, Al-Qaida, the Taliban and their associates in your country, the threat they pose to the country and the region, as well as likely trends.*

No activities in Qatar are conducted by Osama bin Laden, Al-Qaida, the Taliban or any of their associates.

However, the threats and challenges arising from international terrorism have a worldwide impact that affects the security of Qatar, the States of the region and the international community as a whole. That being so, the extraordinary meeting of the Ministers for Foreign Affairs of the Organization of the Islamic Conference met in October 2001 in Qatar, which was chairman of the Ninth Islamic Summit Conference, at which a united Islamic position condemning all terrorist operations was adopted following the attacks aimed at public places in the United States of America.

On that basis there is close cooperation between Qatar and the States of the region on the exchange of information and experience to promote protective measures against the dangers of terrorism.

II. Consolidated List

2. *How has the 1267 Committee's List been incorporated within your legal system and your administrative structure, including financial supervision, police, immigration control, customs and consular authorities?*

The following measures have been taken with respect to the List:

1. The List has been circulated to financial, administrative and supervisory bodies.

2. The List has been circulated to specialized security bodies.

3. The List has been incorporated for use within the "blacklist" system which performs monitoring for the immigration control and border authorities, and the consular authorities.

3. *Have you encountered any problems with implementation with regard to the names and identifying information as currently included in the List? If so, please describe these problems.*

The lists of names of individuals and entities believed to be involved in terrorist activities coming from the Committee established pursuant to resolution 1267 (1999) often cause procedural and implementational problems because some of them, instead of having a complete (four part) name are listed as having only two parts, or there is no evidence of identity or other information is lacking, such as nationality.

4. *Have your authorities identified inside your territory any designated individuals or entities? If so, please outline the actions that have been taken.*

No listed individuals or entities have been identified inside the territory of Qatar. It was noticed that according to item 26 of section D the Al-Shifa Company Honey Press had a branch in Qatar. After this was followed up and a search made it turned out that the company had been closed down and that it had no accounts in the banks operating in Qatar.

5. *Please submit to the Committee, to the extent possible, the names of individuals or entities associated with Osama bin Laden or members of the Taliban or Al-Qaida that have not been included in the List, unless to do so would compromise investigations or enforcement actions.*

No additional information on this subject is currently available.

6. *Have any listed individuals or entities brought a lawsuit or engaged in legal proceedings against your authorities for inclusion in the List? Please specify and elaborate, as appropriate.*

No lawsuit or legal proceedings have been taken against the authorities of the State of Qatar by listed individuals or entities on account of their inclusion in the List.

7. *Have you identified any of the listed individuals as nationals or residents of your country? Do your authorities have any relevant information about them not already included in the List? If so, please provide this information to the Committee as well as similar information on listed entities, as available.*

No listed individuals have been identified as nationals or residents of the State of Qatar.

8. *According to your national legislation, if any, please describe any measures you have taken to prevent entities and individuals from recruiting or supporting Al-Qaida members in carrying out activities inside your country, and to prevent individuals from participation in Al-Qaida training camps established in your territory or in another country.*

The security and administrative measures have been reinforced and strengthened so as to prevent such activities from taking place.

III. Financial and economic assets freeze

9. *Please describe briefly:*

- *the domestic legal basis to implement the asset freeze required by the resolutions above;*
- *any impediments under your domestic law in this context and steps taken to address them.*

Resolutions have been passed and circulars issued to freeze the assets of terrorist groups on the basis of the resolutions of the Security Council and international obligations under the Charter of the United Nations.

The Council of Ministers has also approved a draft amendment to law No. 28 of 2002 on the prevention of money-laundering empowering the Public Prosecutor to freeze assets suspected of having been obtained in violation of that law, for a period of three months. The same amendment empowered the Governor of the Central Bank of Qatar to freeze the same assets for a period of 10 days subject to ratification of such action by the Public Prosecutor within three days. The Public Prosecutor has the right either to endorse or invalidate the decision of the Governor of the Central Bank.

This amendment is in the process of being promulgated as legislation binding on the competent authorities and will be incorporated among the provisions of the law referred to.

To date, no impediments have appeared in the context of the national judicial authorities to prevent the implementation of the measures taken in this connection.

10. *Please describe any structures or mechanisms in place within your Government to identify and investigate Osama bin Laden, Al-Qaida or Taliban-related financial networks, or those who provide support to them or individuals, groups, undertakings and entities associated with them within your jurisdiction. Please indicate, as appropriate, how your efforts are coordinated nationally, regionally and/or internationally.*

A coordinating council has been set up in Qatar for the implementation of Security Council resolution 1373 (2001) by various competent governmental bodies. The coordinating committee refers the list they received from the Committee established pursuant to Security Council resolution 1267 (1999) to the competent bodies to seek out and investigate or freeze the assets of suspects, if any. The security authorities cooperate with their opposite numbers in other States with respect to the requirements of seeking out and investigation and in the exchange of information concerning suspects.

11. *Please convey the steps banks and/or other financial institutions are required to take to locate and identify assets attributable to, or for the benefit of, Osama bin Laden or members of Al-Qaida or the Taliban, or associated entities or individuals. Please describe any "due diligence" or "know your customer" requirements. Please indicate how these requirements are enforced, including the names and activities of agencies responsible for oversight.*

In accordance with the law on the Central Bank and its implementing directives and law No. 28 of 2002 on money-laundering, and in view of the desire of the Bank to take action against illegal funds in banking operations, the identity of customers or their representatives is verified by means of official identity documents. Their identities are recorded at the outset of relations with them or when bargains are struck, services rendered or accounts opened. In the case of legal entities, their legal status is verified through documents concerning the establishment of the company or institution. Their good standing, the ongoing existence of the company and the nature of its activities are also checked.

12. *Resolution 1455 (2003) calls on Member States to provide "a comprehensive summary of frozen assets of listed individuals and entities". Please provide a list of the assets that have been frozen in accordance with this resolution. This list should also include assets frozen pursuant to resolutions 1267 (1999), 1333 (2001) and 1390 (2002). Please include, to the extent possible, in each listing the following information:*

- *identification(s) of the person or entities whose assets have been frozen;*
- *a description of the nature of the assets frozen (i.e., bank deposits, securities, business assets, precious commodities, works of art, real estate property, and other assets);*
- *the value of assets frozen.*

The Central Bank of Qatar, which is the financial authority that monitors operations involving the transfer of capital, has not to date discovered assets of listed individuals or entities and there has been no recourse to measures to freeze or seize assets or funds belonging to such individuals and entities.

13. *Please indicate whether you have released pursuant to resolution 1452 (2002) any funds, financial assets or economic assets that had previously been frozen as being related to Osama bin Laden or members of Al-Qaida or the Taliban or associated individuals or entities. If so, please provide reasons, amounts unfrozen or released and dates.*

No assets of individuals or entities have been unfrozen pursuant to resolution 1452 (2002).

14. *Pursuant to resolutions 1455 (2003), 1390 (2001), 1333 (2000) and 1267 (1999), States are to ensure that no funds, financial assets or economic resources are made available, directly or indirectly, to Listed individuals or entities or for their benefit, by nationals or by any persons within their territory. Please indicate the domestic legal basis, including a brief description of laws, regulations and/or procedures in place in your country to control the movements of such funds or assets to designated individuals and entities. This section should include a description of:*

- *The methodology, if any, used to inform banks and other financial institutions of the restrictions placed upon individuals or entities listed by the Committee, or who have otherwise been identified as members or associates of Al-Qaida or the Taliban. This section should include an indication of the types of institutions informed and the methods used.*

The Central Bank issues a circular to banks and financial institutions (such as currency exchange companies and investment companies) concerning the seizure of suspected individuals or entities included in the lists provided by the Security Council Committee established pursuant to resolution 1267 (1999).

- *Required bank reporting procedures, if any, including the use of Suspicious Transaction Reports (STR), and how such reports are reviewed and evaluated.*

In accordance with the directives of the Central Bank, forms are provided to banks and financial institutions for reporting operations suspected of being for the financing of terrorism and money-laundering. The forms require the name of the party reporting, bank, branch, date, signature of the authorized person in the administration concerned, name of the client suspected, the number of his account

and the number of his identity card or passport, his occupation and all details of the suspect operations. Once the Central Bank has been notified, the bank has the right to freeze the account for a specific time in the event of suspicion. The bank is also entitled, if it suspects any operation within the bank or in any financial institution, to freeze the account for a specific period provided the Central Bank is notified.

- *Requirements, if any, placed on financial institutions other than banks to provide STR, and how such reports are reviewed and evaluated.*

The requirements placed on banks to provide STR are the same as those placed on all financial institutions other than banks in Qatar.

- *Restrictions or regulations, if any, placed on the movement of precious commodities such as gold, diamonds and other related items.*

Under law No. 40 of 2002 on Customs and the decisions and regulations in force, there are controls on all movements of precious commodities such as gold and diamonds. It is the duty of all customs centres to verify the existence of the following:

1. A permit to import unprocessed gold;

2. A bill of lading or export from the country of origin;

3. An invoice specifying the weight and quantity of gold;

4. Certificates of origin;

5. It must be verified that the importer of unprocessed gold is an authorized entity for that purpose, which includes banks and businesses that sell gold;

6. A check must be carried out in order to ensure that the quantity of gold imported is paid for in full and is in accordance with the certificates of origin;

7. All necessary measures must be taken to prevent gold smuggling and to prevent its use in money-laundering from and to countries. If an example of this is proved, legal action is taken and the security and administrative authorities are notified.

- *Restrictions or regulations, if any, applicable to alternate remittance systems such as — or similar to — "hawala", as well as on charities, cultural and other non-profit organizations engaged in the collection and disbursement of funds for social or charitable purposes.*

The Central Bank issues circulars to financial institutions in Qatar instructing them to make intensive efforts to monitor transfers. Such efforts include keeping an inventory of transfers, retaining identity documents and records of transactions and informing the Bank of suspicious operations. It is worth mentioning that "hawala" and other alternative remittance systems may only be used with the authorization of the Central Bank. With respect to the collection of contributions by private associations and institutions, the Central Bank, in cooperation with the Ministry of Civil Service Affairs and Housing, only transfers sums to charitable associations and institutions in countries outside Qatar after obtaining a declaration from the Ministry of Civil Service Affairs and Housing, in accordance with the provisions of article 29 of Law No. 8 of 1998 on charitable associations and institutions.

IV. Travel ban

15. *Please provide an outline of the legislative and/or administrative measures, if any, taken to implement the travel ban.*

Circulars have been issued by the competent security authorities and have been distributed to State border crossing points.

16. *Have you included the names of the listed individuals in your national "stop list" or border checkpoint list? Please briefly outline steps taken and any problems encountered.*

The names of the listed individuals have been included in the list of persons prohibited from leaving or entering Qatar or transiting its territory.

17. *How often do you transmit the updated List to your border control authorities? Do you possess the capability of searching List data using electronic means at all your entry points?*

Electronic searching of the List is available at various entry points in Qatar. The difficulties referred to earlier concerning the fact that the names are not given in four part form is the main impediment delaying cooperation in the system.

18. *Have you stopped any of the listed individuals at any of your border points or while transiting your territory? If so, please provide additional information, as appropriate.*

None of the listed individuals has been stopped at any border point in Qatar.

19. *Please provide an outline of the measures, if any, taken to incorporate the List in the reference database of your consular offices. Have your visa-issuing authorities identified any visa applicant whose name appears on the List?*

The consular offices are not empowered to grant entry visas except after consulting the security authorities of the country. The latter make the necessary investigations before giving their assent to the granting of such a visa.

V. Arms embargo

20. *What measures, if any, do you now have in place to prevent the acquisition of conventional arms and weapons of mass destruction (WMD) by Osama bin Laden, members of Al-Qaida and the Taliban and other individuals, groups, undertakings and entities associated with them? What kind of export control do you have in place to prevent the above targets from obtaining the items and technology necessary for weapons development and production?*

There is direct coordination between the security authorities and the customs authorities to prevent any attempt to smuggle such weapons. Qatar does not manufacture or export weapons and the possession of conventional arms is subject to strict conditions and regulations under law No. 14 of 1999 on weapons, ammunition and explosives.

It should be noted that the Council of Ministers, at its 31st meeting of 2002 held on 25 September of that year, decided to establish a national committee within the Ministry of Defence to monitor implementation of provisions of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction (CWC) by the relevant authorities of

Qatar, and to ensure effective communication with the Organization for the Prohibition of Chemical Weapons.

21. *What measures, if any, have you adopted to criminalize the violation of the arms embargo directed at Osama bin Laden, members of Al-Qaida and the Taliban and other individuals, groups, undertakings and entities associated with them?*

The most important measures adopted to criminalize the violation of the arms embargo is the promulgation of Law No. 14 of 1999 on weapons, ammunition and explosives. The law criminalized many actions regarded as terrorist actions and incorporates a set of conditions and severe penalties, including the death penalty, thus preventing the provision of weapons to terrorists. The law also prohibits the import and export of weapons, and trading in them, without a permit. The law also prohibits the provision of licences for bringing arms or ammunition into Qatar or taking them out of the country.

22. *Please describe how your arms/arms broker licensing system, if any, can prevent Osama bin Laden, members of Al-Qaida and the Taliban and other individuals, groups, undertakings and entities associated with them from obtaining items under the established arms embargo.*

The law on armaments makes the security authorities of Qatar responsible for issuing licences for the circulation of weapons within the narrow limits deemed appropriate by the authorities and in accordance with the public interest.

23. *Do you have any safeguards that the weapons and ammunition produced within your country will not be diverted/used by Osama bin Laden, members of Al-Qaida and the Taliban and other individuals, groups, undertakings and entities associated?*

Qatar does not manufacture or produce weapons or ammunition.

VI. Assistance and conclusion

24. *Would your State be willing or able to provide assistance to other States to help them implement the measures contained in the above-mentioned resolutions? If so, please provide additional details or proposals.*

Qatar cooperates with fraternal countries on combating terrorism through the exchange of information and the provision of assistance in implementing the resolutions of the Security Council.

25. *Please identify areas, if any, of any incomplete implementation of the Taliban/Al-Qaida sanctions regime, and where you believe specific assistance or capacity-building would improve your ability to implement the above sanctions regime.*

Qatar has not identified any shortcoming in the implementation of the Taliban/Al-Qaida sanctions regime or any other areas in which it believes that assistance would improve our ability to implement the sanctions regime.

26. *Please include any additional information you believe pertinent.*

None.